

August 10, 2005

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Subscriber Notification and Acknowledgement Status and Compliance
Report of Hotwire Communications, Ltd; WC Docket No. 05-196**

Dear Ms. Dortch:

Hotwire Communications, Ltd (“Hotwire”), through its undersigned counsel and in compliance with the Commission’s *VoIP E911 Order* (“Order”) and the Public Notice issued by the Enforcement Bureau on July 26, 2005 (“Public Notice”), submits this Subscriber Notification and Acknowledgement Status and Compliance Report to advise the Commission of the status of Hotwire’s efforts to comply with Commission Rule 9.5(e).

As required by the Public Notice, Hotwire responds to the following questions set out in the Public Notice:

- 1) **A detailed description of all actions the provider has taken to specifically advise every subscriber, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service and/or may be in some way limited by comparison to traditional E911 service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers.**

- (a) Existing VoIP Subscribers

On or before July 28, 2005, Hotwire hand delivered to the address of record for each of its existing VoIP subscribers a package that consisted of (a) an E911 subscriber notice containing the information required by new Rule 9.5(e)(1) and (b) a warning label as required by new Rule 9.5(e)(3). Twice weekly since July 28, 2005, Hotwire sales personnel have revisited the address of record of each VoIP subscriber from which Hotwire has not received an executed acknowledgement. On August 4, 2005, reminder notices were hand delivered to the address of

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each VoIP subscriber from which Hotwire had not yet received an executed acknowledgement. Hotwire plans to deliver additional reminder notices on August 13, 2005.

(b) New VoIP Subscribers

Before a Hotwire technician provisions the service, the subscriber must sign the written acknowledgement. The subscriber is then instructed to place the warning stickers on their phones.

- 2) **A quantification of how many of the provider's subscribers, on a percentage basis, have submitted an affirmative acknowledgement, as of the date of the report, and an estimation of the percentage of subscribers from whom they do not expect to receive an acknowledgement by August 29, 2005.**

As of August 4, 2005, Hotwire has obtained affirmative acknowledgement from approximately 53% of its VoIP subscriber base. Hotwire cannot predict with precision what its final response rate will be, but estimates that 10% of its VoIP subscribers will still not have provided affirmative acknowledgement by August 29, 2005.

- 3) **A detailed description of whether and how the provider has distributed to all subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on and/or near the customer premises equipment used in connection with the interconnected VoIP service. This information should include, but is not limited to, relevant dates and methods of contact with subscribers (i.e. e-mail, U.S. mail).**

As described under Item (1) above, on or before July 28, 2005, Hotwire hand delivered warning labels to the addresses of record for all of its existing VoIP subscribers. Included with those labels were with appropriate instructions that advise the subscriber to place the labels on or near the customer premises equipment.

For new VoIP subscribers, since July 28, 2005, Hotwire service technicians have placed stickers on the customer's equipment at the time of service initiation.

- 4) **A quantification of how many subscribers, on a percentage basis, to whom the provider did not send the advisory described in [Question 1] and/or to whom the provider did not send warning stickers or other appropriate label as identified in [Question 3].**

Hotwire has delivered advisories and warning labels to the address of record of 100% of its VoIP subscribers, both new and existing.

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- 5) **A detailed description of any and all actions the provider plans on taking towards any of its subscribers that do not affirmatively acknowledge having received and understood the advisory, including, but not limited to, disconnecting the subscriber's VoIP service with the Company no later than August 30, 2005.**

Hotwire is continuing its campaign to contact and obtain affirmative acknowledgment from all of its VoIP subscribers. Until August 29, 2005, Hotwire sales personnel will continue to revisit twice weekly the address of record of each VoIP subscriber from which Hotwire has not received an executed acknowledgement. Hotwire also plans to hand deliver reminder notices throughout the month, with the next delivery scheduled for August 13, 2005. Hotwire has also followed up via telephone call to those subscribers who have not responded with a written acknowledgement.

As detailed under Item (2), Hotwire expects that despite its diligent efforts, the Company will not be able to obtain affirmative acknowledgement from some VoIP subscribers by August 29, 2005. For those VoIP subscribers that have not provided Hotwire affirmative acknowledgement by August 25, 2005, Hotwire intends to send them a notice explaining that their service will be disconnected if Hotwire does not receive the affirmative acknowledgement by August 29, 2005. On August 30, 2005, Hotwire currently plans to disconnect those subscribers from their VoIP service until affirmative acknowledgement is provided to Hotwire.

- 6) **A detailed description of how the provider is currently maintaining any acknowledgements received from its subscribers.**

Hotwire is collecting the written acknowledgements and verifying those acknowledgements against its VoIP subscriber list. The written acknowledgements are then scanned and stored electronically on a system that is backed up nightly. The original written acknowledgements are stored in a fire-proof cabinet.

- 7) **The name, title, address, phone number, and e-mail address of the person(s) responsible for the Company's compliance efforts with the VoIP E911 Order.**

Brian E. Coughlin, Esquire
General Counsel
Hotwire Communications, LLC
300 East Lancaster Avenue
Wynnewood, PA 19096
(619) 642-9767, ext. 220
bcoughlin@hotwirecommunication.com

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Should you have any questions regarding this filing, please contact the undersigned.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Russell M. Blau", with a long horizontal flourish extending to the right.

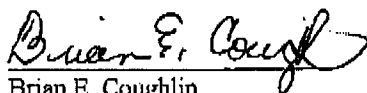
Russell M. Blau

Wendy M. Creeden

Counsel for Hotwire Communications, Ltd

cc: Byron McCoy (FCC)
Kathy Berthot (FCC)
Janice Myles (FCC)
Best Copy and Printing, Inc.
Brian E. Coughlin (Hotwire)

I, Brian E. Coughlin, state that I am General Counsel, of Hotwire Communications, Ltd; that I am authorized to submit the forgoing *Subscriber Notification and Acknowledgement Status and Compliance Report* ("*Report*") on behalf of Hotwire Communications, Ltd; that the *Report* was prepared under my direction and supervision; and I declare under penalty of perjury that the *Report* is true and correct to the best of my knowledge, information, and belief.



Name: Brian E. Coughlin

Title: General Counsel

Hotwire Communications, Ltd